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Commission on Practice

JAN 12 2010

FILED

JAN 12 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

**BEFORE THE COMMISSION ON PRACTICE
OF THE SUPREME COURT OF THE STATE OF MONTANA**

IN THE MATTER OF KARL P. SEEL,)	Supreme Court Cause No. PR09-0612
)	ODC File No. 08-085
An Attorney at Law,)	
)	
Respondent.)	MR. SEEL'S ANSWER TO ODC's
)	COMPLAINT

Karl P. Seel, by and through his attorney of record, Michael F. McMahon, hereby submits his Answer to the Office of Disciplinary's ("ODC") Complaint, and states and alleges to the Commission on Practice as follows:

I.

Mr. Seel denies each and every allegation of ODC's Complaint except those hereinafter admitted, qualified or explained.

II.

Mr. Seel admits the allegations of paragraphs 1, 2, 4, 6, 7, 8, 9, 12, 13, 15, 16, 18, 19, 20, 21 and 22 of ODC's Complaint.

III.

Mr. Seel, in response to paragraphs 3 and 11 of ODC's Complaint, re-alleges and incorporates his responses set forth above in paragraphs I through II.

1 IV.

2 Mr. Seel admits the allegations of paragraph 14 of ODC's Complaint only insofar that it
3 alleges he represented Mr. Bonamarte in the *Pierce Flooring* matter, and he affirmatively
4 denies that Mr. Bonamarte retained him for the entire defense of that matter as well as the term
5 of that representation as impliedly alleged by ODC, and denies the remaining allegations of
6 paragraph 14 of ODC's Complaint.

7 V.

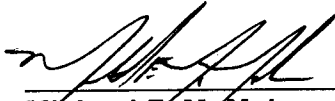
8 Mr. Seel admits the allegations of paragraph 17 of ODC's Complaint only insofar that it
9 alleges a variety of offers of compromise were made between the parties, his client would only
10 agree to pay a sum certain and no more, and that a Motion for Entry of Default Judgment was
11 filed and granted on January 9, 2004, and denies the remaining allegations of paragraph 17 of
12 ODC's Complaint.

13 WHEREFORE, Karl P. Seel, having fully answered ODC's Complaint, prays that
14 following a hearing before an Adjudicatory Panel of the Commission, it makes a report and
15 recommends to the Montana Supreme Court that he be publicly censured by the Montana
16 Supreme Court and that he be ordered to pay the reasonable costs incurred by the Montana
17 Office of Disciplinary Counsel and the Montana Commission on Practice in connection with this
18 matter as the appropriate discipline for his violations of Rules 1.1 and 1.3 of the Montana Rules
19 of Professional Conduct.

20 Dated this 11th day of January 2010.

21 **McMAHON LAW FIRM, PLLC**

22 By

23 
24 **Michael F. McMahon**
25 212 North Rodney
Helena, MT 59601

ATTORNEYS FOR KARL P. SEEL

CERTIFICATE OF SERVICE BY MAIL

I HEREBY CERTIFY that a copy of the foregoing **MR. SEEL'S ANSWER TO ODC'S COMPLAINT** was served upon the following by mailing a true and correct copy thereof on **January 11, 2010**, addressed as follows:

**SHAUN THOMPSON
OFFICE OF DISCIPLINARY COUNSEL
PO BOX 1099
HELENA MT 59624-1099**

**SHAUNA RYAN
COMMISSION ON PRACTICE
PO BOX 203002
HELENA MT 59620-3002**



Michael F. McMahon